D. Dis File No. 210 (5)

1939

P-10 Collection No.

Mysore Residency

(W)

CB
24/7/47
Mad
26/7

S.N. & el. 1/2

Pros. / Serial Nos. 1 – 3

Pub(
2/8/46

Subject.

Remission of Sentence –

Prisoners K. G. Augustine + N. Sivasankaran Nair

In Penitentiary Madras

Previous References.

Later References.

A
27/8/46

NOTES AND PRECIS.

Dy.No.3452 S.N.1

The petition may be sent U/O to the District Magistrate, for favour of remarks.

12.4.39

8/4/39

~~SECY.~~

1399-C-39

17.4.

The District Magistrate, C & M Station, Bangalore

U.O. No. D. 3452 dated 15th April 1939

C.P. report H/L &
petitioners are very dangerous
note forgers & utterers. They
were in possession of hundreds
of forged notes of Rs. 100
denomination. They are likely
to resort to crime &
his premature release
not recommended.

17-4-39

Rs 100

R. 1399/C/39 D/21-4-39

OFFICE OF THE
PRIVATE SECRETARY TO THE RESIDENT
IN MYSORE, BANGALORE.
24 APR 1939
Diary No. 4194
File No.

SC

24/4

2

Please see paragraph 2 ante. For orders.

Under section 401(2) of the Cr. Procedure Code, the Resident may, if he considers it necessary, consult the Sessions Judge. Perhaps in view of the opinion of the District Magistrate, this may not be necessary.

3.5.39.

SECY.

May be rejected

9/5/39.

Resident. Agreed

Draft submitted for approval.

15.5.39. 15.5.39

S.N.(2): Issue -

Dy.No.4701. S.N.(3). (Reminder)

c.p. 1 & 6 (R). Please see S.N.1 and 2. A reply was sent on 19-5-1939 PUC may be filed.

(Para 7)

25.5.39

25-5-39

CORRESPONDENCE.

JC

J

Div. I

HOME DEPARTMENT

NO. 411. R

From

A.R.MacEwen Esq., C.I.E., M.C., I.C.S.,

Secretary to the Government of Madras.

OFFICE OF THE RESIDENT BANGALORE. Diary No. 3452 File No.

To

The Hon'ble the Resident in Mysore,

Bangalore.

Dated, Fort St.George, the 29th March 1939.

Sir,

Prisoners - Remission of sentence - K.G.Augustine and N.Sivasankaram Nair - Nos.4 and 5. - The Penitentiary Madras.

I am directed to forward for your orders the accompanying petition from the prisoners mentioned above together with the nominal rolls and copies of the lower and appellate courts' judgments relating to them.

x Residents Court-(E)
Sessions Court-(F)

The judgments may kindly be returned when no longer required.

I have the honour to be,

Sir,

Your most obedient servant,

for Secretary to Government.

vkr.29.3.

2 (2

To

Hon'ble The
The/Minister for Law, (Court and Prisons)

Madras.

Dear Sir,

Re: S.C- No. 8 of 1936 on the file of the Court of Session, at the Civil and Military Station of Bangalore.

1.K.G. Augustine } Petitioners.
2.N. Sivasankara Nair. }

The humble petition submitted by the above-named petitioners prayeth as follows:-

We were/accused in the above case and charged under S(1) 120-B read with S. 489-A and (2) S. 489- D, Indian Penal Code.

We were arrested on ~~6-2-1936~~ 11-1-1936 The trial went on for nearly a year and we were convicted on 4-1-1937 and sentenced to rigorous imprisonment for a period of five years. During the period between ~~6-2-1936~~ 11-1-1936 and 4-1-1937, we were in prison. Though the assessors were unanimously of the opinion that we were not guilty, the learned District and Sessions Judge, C.& M. Station, Bangalore, took a different view of the matter and sentenced us as stated abvove. In the term of five years, the under-trial period of nearly a year was not included.

We have earned the maximum remission and we ~~humbly~~ humbly request you to include the period for which we were

3/

B

2.

under-trial prisoners, that is between ~~6-3-1936~~ 11-1-1936 and 4-1-1937 ~~may be included~~ in the aforesaid period of five years and pass orders to that effect

We are sending herewith a copy of the judgment in the above case for your perusal and return.

Thanking you in anticipation,

We beg to remain,

Sir,

Your most obedient servants,

11-3-39
Con. No. 5

Con. No. 4. 11-3-39.

~~Copy to~~

~~1. To~~

~~The Inspector-General of Police,~~

~~Madras.~~

~~2. To~~

~~The Superintendent of the Penetentiary,~~

~~Madras~~

Read over to them, acknowledged to be correct & their signatures obtained in my presence.

Penitentiary, Madras
17. 3. 39

Lt Col IMS
Supdt of Prisons

(4)

FORM No. 52.

Judl. (Jail-II)-27—12,500—9-4-38.

(See Rule 879, Jail Manual.)

Nominal Roll of Male * Convict No. † A 5, Name N. Sivasankaran Nair., Residence (Village, Taluk and District) Ramanagalam. Travancore state, Caste N Nair., Present Age 44 years, Occupation Photographer

Section and Code under which imprisoned.	Original sentence of order and date.	Adjudicating Court and Calendar number of case.	Unexpired term of sentence after deducting remission earned. Y.	M.	D.	Present state of health and fitness to undertake a journey.‡	Result of appeal (if any).	Conduct in Jail.	Remarks.
120 B. R. with Sec. 489 A & 489 B. IPC	5 yrs RI under each of the charges the sentences to run Concurrently. 4.1.37	Sessions Judge Bangalore Sc 8/36	2	3		I H	Dismissed	Exemplary.	Remission earned up to 195 of preceding month days. Class "B" Edn. A

* Strike out and add "Female" when necessary.

† After the prisoner's number, add his class A or B, according as he is classed as a Casual (and whether Star) or Habitual, respectively, and after the letter, add the number of previous convictions, thus—No. 3742 B-2.

‡ When a journey is about to be undertaken by a prisoner, the roll is to be signed by the Medical Officer.

NOTE.—Personal and descriptive marks are to be given on the reverse when (1) rolls accompany prisoners transferred, (2) police assistance is sought for the recapture of an escaped prisoner.

Parklentrip Kadm JAIL,
17.3. 193 9.

3.1.42
17.3.39
16.9.2
15.6.
.3.2

Superintendent.

FORM No. 52.

Judl. (Jail-II)-27—12,500—9-4-38.

(See Rule 879, Jail Manual.)

Nominal Roll of Male * Convict No. † 4, Name K. G. Ignatius, Residence (Village, Taluk and District) Parur Travancore State. Caste Xtian. R.C., Present Age 33 years, Occupation Clerk

Section and Code under which imprisoned.	Original sentence of order and date.	Adjudicating Court and Calendar number of case.	Unexpired term of sentence after deducting remission earned. Y.	M.	D.	Present state of health and fitness to undertake a journey.‡	Result of appeal (if any).	Conduct in Jail.	Remarks.
120 B. Read with Sec 489 A & 489 D. I.P.C.	5 yrs. R.I. under each of the Charges Sentences to run Concurrently 4.1.37	Sessions Judge C & M. Stn. Bangalore Sc 8/36	2	3	1	I H	dismissed	Exemplary.	Remission earned up to 3.1.42 of preceding month 17-3-35 days. 16.9.2 15 6 1 3 2 Class. " B " Prob. Rice Stn. A

* Strike out and add "Female" when necessary.

† After the prisoner's number, add his class A or B, according as he is classed as a Casual (and whether Star) or Habitual, respectively, and after the letter, add the number of previous convictions, thus—No. 3742 B-2.

‡ When a journey is about to be undertaken by a prisoner, the roll is to be signed by the Medical Officer.

NOTE.—Personal and descriptive marks are to be given on the reverse when (1) rolls accompany prisoners transferred, (2) police assistance is sought for the recapture of an escaped prisoner.

Penitentiary Rodn JAIL,
17.3. 1939.

Superintendent.

(6

Issue 16/5

D.Dis.210-39/Judl. Enc (2)

Dated 19th May 39

From

The Secretary to the Resident.

To

The Secretary to the Government of Madras, Home Department.

Remission of sentence - K.G. Augustine and N. Sivasankaran Nair - Nos.4 and 5, Penitentiary Madras.

Sir,

I am directed to refer to your letter No.411.R, dated the 29th March 1939. The Hon'ble the Resident has ordered that the petition be rejected. The copies of judgments forwarded with your letter are returned.

I have etc.,

16/5

for Secretary to the Resident

15.5.39

15.5.39